



Image

Express Mail No. EV 313 842 590 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Usuka et al.

Confirmation No.: 3878

Serial No.: 10/015,167

Art Unit: 1631

Filed: December 11, 2001

Examiner: Cheyne D. Ly

For: SYSTEM AND METHOD FOR
PREDICTING CHROMOSOMAL
REGIONS THAT CONTROL
PHENOTYPIC TRAITS

Attorney Docket No.: 9080-016-999

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Francis E. Morris, represents that he is a partner in the law firm of Pennie & Edmonds LLP, the attorneys of record for the present invention.

Your Petitioner states that Roche Palo Alto LLC is the assignee of the entire 100% right, title and interest in and to the above identified application by virtue of an assignment which was recorded on April 9, 2002 at reel 012571 frame 0790, and by virtue of the Certificate of Amendment filed herewith on even date under separate cover (a copy of which is included herewith as Exhibit A).

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of any patent that will issue from copending U.S. Patent Application No. 09/737,918 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Application No. 09/737,918 or any patent that will arise from U.S. Patent Application No. 09/737,918.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any patent arising from U.S. Patent Application No. 09/737,918 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the evidentiary documents in the chain of title of the present application identified above, and certifies that, to the best of his knowledge and belief, title is in Roche PaloAlto LLC by virtue of a Change of Name being submitted for recordation to the Assignment Branch of the Patent Office today, under separate cover. A copy of the Assignment is attached hereto as Exhibit B.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted

Brett Forey

Reg. No. 42,813 for

24,615
(Reg. No.)

Francis E. Morris
PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, CA 94304-1203
(650) 493-4935

Date: December 24, 2003



Express Mail No. EV 313 842 590 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Usuka et al.

Confirmation No.: 3878

Serial No.: 10/015,167

Art Unit: 1631

Filed: December 11, 2001

Examiner: Cheyne D. Ly

For: SYSTEM AND METHOD FOR
PREDICTING CHROMOSOMAL
REGIONS THAT CONTROL
PHENOTYPIC TRAITS

Attorney Docket No.: 9080-016-999

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The fee for processing the attached Terminal Disclaimer is believed to be \$110.00. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is attached for accounting purposes.

Date: December 24, 2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis E. Morris".

A handwritten signature in black ink, appearing to read "Brett J. Jones".

Reg. No. 24,615

Francis E. Morris
PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, California 94304
(650) 493-4935